



Entered on Docket
August 26, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Eighth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Whole or In Part Upon
Investment In The Eagle Meadows Loan**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Eighth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Eagle Meadows Loan." ("Eagle Meadows Loan") [DE 8567] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Eagle Meadows Loan; and
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8567] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Eagle Meadows Loan.
7

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**
10

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disa pproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapprove d the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Eagle Meadows
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Eagle Meadows Development Loan
10725-00154	8/14/2006	Joan B Gassiot Dtd 8/7/87	Joan B Gassiot 4050 Bitter Creek Ct Reno, NV 89509-0609	152,000.00	50,000.00
10725-02327	1/13/2007	John L Wade Trust Dtd 5/8/01	C/O John L Wade Trustee 881 Lake Country Dr Incline Village, NV 89451-9042	1,500,000.00	200,000.00
10725-02127	1/11/2007	Johnson, Phyllis	C/O Ron Johnson Po Box 27 Reno, NV 89504	202,800.00	50,000.00
10725-02262	1/12/2007	Johnson, Phyllis	C/O Ron Johnson PO Box 27 Reno, NV 89504	202,800.00	50,000.00
10725-02126	1/11/2007	Johnson, Ronald A & Marilyn	50 Snider Way Sparks, NV 89431-6308	304,200.00	50,000.00
10725-01715	12/11/2006	Kehl Development Corporation	Janet L Chubb, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	1,561,365.75	400,000.00
10725-01660	12/9/2006	Kehl, Robert J & Ruth Ann	Janet L Chubb, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	12,841,680.13	1,000,000.00
10725-02177	1/12/2007	Klay Living Trust Dtd 7/11/90	Othmar & Christine Klay Ttees 5530 Lausanne Dr Reno, NV 89511	708,473.90	50,000.00
10725-01967	1/10/2007	Markwell Family Trust	Terry & Christiane Markwell Ttees 12765 Silver Wolf Rd Reno, NV 89511	710,494.52	50,000.00
10725-01968	1/10/2007	Markwell, Monique	100 North Arlington Ave #9H Reno, NV 89501	202,384.90	50,000.00

EXHIBIT A